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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,441	03/22/2001	David Arthur Eatough	42390P11037	5228
21552	7590	03/16/2006		
MADSON & AUSTIN GATEWAY TOWER WEST SUITE 900 15 WEST SOUTH TEMPLE SALT LAKE CITY, UT 84101			EXAMINER GANDHI, DIPAKKUMAR B	
			ART UNIT 2138	PAPER NUMBER

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/815,441

Applicant(s)

EATOUGH ET AL.

Examiner

Dipakkumar Gandhi

Art Unit

2138

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 2-9 and 13 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 is/are allowed.
- 6) ☒ Claim(s) 10-12, 14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Response to Amendment

1. Request for Continued Examination (RCE) and the amendment filed on 12/27/2005 have been entered, including amended claims.
2. Applicants' arguments with respect to claims 10-12, 14 and 15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 10-12, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis et al. (US 5,909,215) in view of Bigus (US 6,671,691 B1).

As per claim 10, Berstis et al. teach a method to perform customized error handling, comprising:

intercepting a message that has been sent to a display; searching the message; detecting a first error message in the message; retrieving a second error message corresponding to the first error message; and sending the second error message to the display to the user, wherein the second error message displayed to the user contains a button (fig. 3A, 3B, col. 1, lines 33-40, lines 47-51, col. 2, lines 1-20, col. 5, line 51-col. 6, line 13, Berstis et al.).

However Berstis et al. do not explicitly teach the specific use of the buttons that allow or require user selection.

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Bigus in an analogous art teaches that in operating the expression builder GUI, the user makes the selections by pointing to fields and buttons and clicking on them with a mouse, trackball, or other pointing mechanism. Selecting a field highlights it on the user's screen. The selected fields are drawn in black. Selecting and active (black) button performs the corresponding GUI function (Clear, Cancel, Help buttons in fig. 3, 4, col. 9, lines 39-44, Bigus).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Berstis et al.'s patent with the teachings of Bigus by including an additional step of using the buttons that allow or require user selection.

This modification would have been obvious to one of ordinary skill in the art, at the time the invention was made, because one of ordinary skill in the art would have recognized that using the buttons that allow or require user selection would provide the opportunity to provide input from the user to perform a corresponding computer operation.

- As per claim 11, Berstis et al. and Bigus teach the additional limitations.

Berstis et al. teach the method wherein the retrieving comprises retrieving the second error message using the first error message (figure 9, col. 8, lines 25-32, Berstis et al.).

- As per claim 12, Berstis et al. and Bigus teach the additional limitations.

Berstis et al. teach an article comprising: a storage medium, the storage medium including stored instructions that are executed by a processor (col. 9, lines 59-61, lines 64-67, Berstis et al.), result in intercepting a message that has been sent to a display; searching the message; detecting a first error message in the message; retrieving a second error message corresponding to the first error message; and sending the second error message to the display, wherein the second error message displayed to the user contains a button (fig. 3A, 3B, col. 1, lines 33-40, lines 47-51, col. 2, lines 1-20, col. 5, line 51-col. 6, line 13, Berstis et al.).

Bigus teaches use of the buttons that allow or require user selection (Clear, Cancel, Help buttons in fig. 3, 4, col. 9, lines 39-44, Bigus).

- As per claim 14, Berstis et al. and Bigus teach the additional limitations.

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Berstis et al. teach the article wherein the stored instructions, when executed by a processor, further result in terminating the first error message (figure 11, col. 9, lines 25-29, Berstis et al.).

- As per claim 15, Berstis et al. and Bigus teach the additional limitations.

Berstis et al. teach the article, wherein the stored instructions, when executed by a processor, further result in retrieving a second error message by searching an error translation table using the first error message and retrieving the second error message from the error translation table corresponding to the first error message (figure 9, col. 8, lines 25-32, Berstis et al.).

Allowable Subject Matter

6. Claim 1 is allowed.

7. The following is an examiner's statement of reasons for allowance:

The present invention pertains to a method and apparatus to perform customized error handling. The claimed invention (claim 1) recites features such as "...analyzing an application program prior to execution; in response to the analyzing of the application program, detecting a sub-sequence of the application program that, when executed, will cause a first error message to be displayed; and prior to execution of the application program, overwriting the sub-sequence of the application program with new instructions that, when executed, will cause a second error message to be displayed."

The prior arts of record (Mikovsky et al. US 6,526,529 B1) teach a system and method for dynamically updating the error messages of a shipped software product. The existing, typically generic error messages shipped with a software product are replaced or appended as errors are resolved or better understood, where a user who receives an error message will see the latest known information for that error message (col. 1, line 63 to col. 2, line 2, Mikovsky et al.).

Berstis et al. (US 5,909,215) teach a process in a data processing system for handling messages received in a message queue in a message handling process for a graphical user interface. If the message should be reformatted, the process then reformats the message and returns the message to the message handling process for further processing (col. 2, lines 6-9, lines 18-20, Berstis et al.).

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Bigus (US 6,671,691 B1) teaches a method and an apparatus for a user-friendly expression builder GUI. The GUI design enables users to construct syntactically valid expressions, without any knowledge of expression syntax (col. 2, lines 46-50, Bigus).

However the prior arts do not teach "analyzing an application program prior to execution; in response to the analyzing of the application program, detecting a sub-sequence of the application program that, when executed, will cause a first error message to be displayed; and prior to execution of the application program, overwriting the sub-sequence of the application program with new instructions that, when executed, will cause a second error message to be displayed" as recited in claim 1.

Hence, the prior arts of record do not anticipate nor render obvious the claimed inventions. Thus, claim 1 is allowable over the prior arts of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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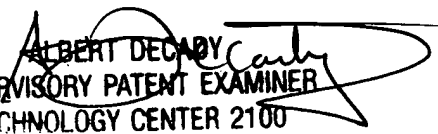
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dipakkumar Gandhi whose telephone number is 571-272-3822. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dipakkumar Gandhi
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